

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

In re: Petition of City of Waltham

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D.T.E. 02-11

AFFIDAVIT OF BRYANT K. ROBINSON

Bryant K. Robinson, being duly sworn upon oath, deposes and states as follows:

1. My name is Bryant K. Robinson. My current business address is 800 Boylston Street, Boston, Massachusetts 02199. I am Manager of Revenue Requirements for the regulated operating companies of NSTAR.
2. I have been employed by Boston Edison Company (the "Company") since 1983, when I joined the Company's Audit Department, and held Staff Auditor and Senior Auditor positions. In 1989, I joined the Revenue Requirements Department as a Financial Research Analyst. Subsequently, I have held positions as Senior Financial Research Analyst, Senior Financial Consultant and Principal Financial Analyst.
3. On April 19, 2001, counsel for the City of Waltham ("Waltham") sent a letter to the Department that included two documents. The first document includes information regarding the Company's gross investment and accumulated depreciation in its accounts 632 through 637 associated with streetlights in Waltham ("Document A"). The second document consists of 34 pages and appears to include information regarding account information regarding streetlights in Waltham ("Document B") (together, with Document A, the "Documents"). In the April 19 Letter, counsel for Waltham alleges that the

- Documents “shed light on a critical issue in dispute in this case,” and then attempts to characterize the information in the Documents (April 19 Letter et seq.).
4. Based on my extensive experience as Manager of Revenue Requirements for NSTAR, I can attest that Waltham’s counsel’s conclusions regarding the information in these Documents are unsupported by the data in the Documents. Moreover, with respect to Document A, I can attest that the data in the document is consistent with the Company’s position regarding the relative ages of streetlight plant in Waltham.
 5. Regarding Document A, Waltham’s counsel alleges that Document A represents “the schedule of additions, retirements, net balances and depreciation taken for every year since 1944 for each of the subject streetlight accounts in Waltham” (April 19 Letter, at 1). I attest that Document A includes information regarding the Company’s streetlight investment in Waltham since 1944.
 6. In addition, on page 2 of the April 19 Letter, Waltham alleges that, during the Department’s evidentiary hearing on April 11, 2002, I, on behalf of the Company “was attempting to create [an implication]... that there was a reasonable basis for assuming that the support equipment supporting the private lights [are] older than the support equipment supporting the municipal lights” and that, “[Document A] tells a very different story.”
 7. However, the data in Document A does not refute my testimony. On pages 1 through 6, and 11 through 13, Document A lists the Company’s gross

investment, retirements and accumulated depreciation in accounts 632, 633, 634 and 637 (the "Common Plant Accounts") from 1944. As noted during the proceeding, the Common Plant Accounts serve both municipal and commercial accounts. Although Document A suggests (on page 9) that the Company did not start making significant investment in additions to account 636 until 1955, Document A provides no evidence that the plant in the Common Plant Accounts has not served the commercial plant in account 636 after 1955, or that such plant may have been installed around the same time as the plant in account 636. The Company has not claimed, nor can it claim, that with each and every investment in account 635 and 636, a corresponding investment is made in the Common Plant Accounts. In fact, the Company has stated the opposite, i.e., the streetlight plant booked to the Common Plant Accounts is generally older than the plant in accounts 635 and 636, as evidenced by Document A. However, as it relates to my testimony regarding the timing of the Company's investment in the Common Plant Accounts, Document A provides no information to refute my testimony that, in general, the Company's investment in account 636 corresponded with investments booked to the Common Plant Accounts.

8. Moreover, Document A clearly supports the Company's testimony that the commercial lights in Waltham are generally older than the municipal lights in Waltham. On page 7 through 10 of Document A, the Company's additions, retirements and accumulated depreciation are each represented for accounts 635 and 636. By 2001, of the Company's total gross investment in accounts 635 and

- 636, the ratio of gross investment in accounts 635 and 636 was approximately 80 percent (\$872,804) to 20 percent (\$217,304), respectively (Document A at 8). However, the ratio of accumulated depreciation in accounts 635 and 636 was approximately 60 percent (\$241,437) to 40 percent (\$155,449) by 2001 (id. at 10). Clearly, the fact that 40 percent of the Company's total accumulated depreciation in accounts 635 and 636 is booked to account 636 demonstrates that the Company's methodology of allocating 40 percent of the accumulated depreciation in each of the Common Plant Accounts to account 636 is reasonable.
9. Regarding Document B, Waltham's counsel alleges on page 3 of the April 19 Letter that the document is "the NSTAR computer printout of commercial streetlights in Waltham. While it is a ten year old document, its most interesting feature is that it indicates that none of the commercial lights are serviced pursuant to underground streetlight rates." First, although there is nothing in the document to identify the document with NSTAR, or the document's age, I can attest that there is a possibility that the document may have been produced by the Company at some time in the past and that it appears that some of the Company's commercial streetlight accounts are represented on the document. However, contrary to the allegations of Waltham's counsel, there is no information on the document that indicates that "none of the commercial lights are serviced pursuant to underground streetlight rates."
10. First, the header on each page of Document B is entitled "Street Lighting F Rates." The header is an internal designation (as compared to the Company's

- tariffed streetlight rates, which are designated as “S” rates) with no relevance to whether the lights are served “pursuant to underground streetlight rates,” as alleged by Waltham’s counsel. In addition, the information under the column headings within Document B represents the following: (1) the codes in the first legible column in the document (with codes “A” and “B, etc.)” note whether electric distribution wires are attached to the listed pole; (2) the column entitled “CITY” notes that the lights are in Waltham; (3) the column entitled “POLE/POST” includes the codes “F” or “FD,” indicating whether the luminaire on the pole is an area light or flood light, respectively (the numbers that follow to the right of the “F” or “FD” codes are numbers assigned to the poles and posts); (4) the column entitled “ACCOUNT NUMBER” is self-explanatory; (5) the column entitled “SEQ” contains account-specific designations for the lights serving those accounts; (6) the columns entitled “AGE” and “SIZE” are self-explanatory; and (7) the column entitled “TYPE” includes numbers identifying whether a mercury or sodium light is attached to the pole.
11. Regardless, as described in Exhibit DTE 2-2, as required by the Department pursuant to D.T.E. 98-89, the Company’s methodology for pricing streetlights for sale pursuant to G.L. c. 164, § 34A is different from its methodology for calculating streetlight expense for ratemaking purposes, which results in a benefit for Waltham. Indeed, if the Company were able to use its actual depreciation rate for streetlight plant in calculating its unamortized investment in such plant, Waltham would have had to pay an additional \$424,000 for its streetlights (Exh.

DTE 2-2). Therefore, the Company's past collection of costs through rates relating to investment in account 636 has no bearing on the price of the streetlights in Waltham in the context of a sale. Accordingly, Document B does not support Waltham's counsel's allegation or conclusion regarding the relationship between the underground streetlight plant in Waltham and the plant booked to account 636.

I hereby swear, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge and belief.

Bryant K. Robinson

Sworn to before me this 29th day of April 29.

Notary Public